

April 15, 2013

TO: Members of the Judiciary Committee

FROM: Connecticut Bankers Association
Tom Mongellow, Fritz Conway

Re: S.B. No. 453 (COMM) AN ACT CONCERNING THE ASSESSMENT OF ATTORNEY'S FEES IN FORECLOSURE
MEDIATION PROCEEDINGS

Position: Opposed

This bill would only allow attorney fees to be awarded to a lenders attorney for the first three mediation sessions under the judicial branches Foreclosure Mediation Program.

There are many situations which extend mediation sessions that are not under the control of the attorneys that represent both borrowers and lenders. Such as when the Courts may grant extensions due to a borrowers changed circumstances that require those additional sessions. This bill will unfairly place lenders in the position of not having legal representation at a critical time when it is needed.

Additionally, the mediation program is currently under an exhaustive review in the form of the Administration's House Bill 6355.

We urge the committee to not take action on this proposal as it may ultimately conflict with the final language in H.B. 6355.